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Attorneys for Federal Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

INDIGENOUS ENVIRONMENTAL
NETWORK, *et al.*,

and

NORTHERN PLAINS RESOURCE
COUNCIL, *et al.*,

Plaintiffs,

v.

CV 17-29-GF-BMM
CV 17-31-GF-BMM

Consolidated

**FEDERAL DEFENDANTS'
NOTICE OF APPEAL**

<p>UNITED STATES DEPARTMENT OF STATE, <i>et al.</i>,</p> <p>Defendants, and</p> <p>TRANSCANADA CORPORATION, <i>et al.</i>,</p> <p>Defendant-Intervenors.</p>	
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Pursuant to Federal Rules of Appellate Procedure 3 and 4 and 28 U.S.C. § 1292(a)(1), notice is hereby given that the United States Department of State, Michael R. Pompeo in his official capacity as Secretary of State,¹ the United States Fish and Wildlife Service, Margaret Everson, in her official capacity as Principal Deputy Director Exercising the Authority of the Director,² and David Bernhardt, in his official capacity as Acting Secretary of the Interior³ hereby appeal the Court's November 22, 2017 Order, Dkt. #93, the Court's August 15, 2018 Partial Order on Summary Judgment Regarding NEPA Compliance, Dkt. # 202, the Court's November 8, 2018 Order, Dkt. # 211, and the Court's November 15, 2018 Order, Dkt. #212. This appeal is taken to the United States Court of Appeals for the Ninth Circuit.

¹ Secretary Pompeo is substituted for Thomas A. Shannon, Jr. pursuant to Fed. R. Civ. P. 25(d).

² Ms. Everson is substituted for James Kurth pursuant to Fed. R. Civ. P. 25(d).

³ Mr. Bernhardt is substituted for Ryan Zink pursuant to Fed. R. Civ. P. 25(d).

Respectfully submitted this 1st day of February, 2019,

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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2019, a copy of the foregoing Federal Defendants' Notice of Appeal was served on all counsel of record via the Court's CM/ECF system.

/s/ Bridget K. McNeil
Bridget Kennedy McNeil
U.S. Department of Justice